

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

Timothy P. Schaffner,  
Plaintiff,

vs.

Case No. 1:07-cv-567

Commissioner of Social Security,  
Defendant

**ORDER**

This matter is before the Court on the Magistrate Judge's Report and Recommendation filed August 15, 2008 (Doc. 7).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. See United States v. Walters, 638 F.2d 947 (6th Cir. 1981). No objections to the Magistrate Judge's Report and Recommendation have been filed.

Having reviewed this matter de novo pursuant to 28 U.S.C. § 636, we find the Magistrate Judge's Report and Recommendation correct.

Accordingly, it is **ORDERED** that the Report and Recommendation of the Magistrate Judge is hereby **ADOPTED**. The decision of the Commissioner that plaintiff was not entitled to a period of disability, disability insurance benefits and supplemental security income benefits beginning June 2, 2000, is not supported by substantial evidence and is **REVERSED**. This case is **REMANDED** for an immediate award of benefits. This action is closed.

Date: September 9, 2008

s/Sandra S. Beckwith  
Sandra S. Beckwith, Chief Judge  
United States District Court